

To Whom It May Concern:

This is a request by the Riverkeeper, Inc., for U.S. Environmental Protection Agency (“EPA”) records (and records under the control of the EPA) submitted pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552.

On behalf of Riverkeeper, I hereby request the following:

- All correspondence dated November 8, 2016 to the present between the EPA and the City of New York (including all agents and agencies of the City of New York) regarding the Newtown Creek Superfund site;
- All records dated November 8, 2016 to the present between the EPA and the City of New York (including all agents and agencies of the City of New York) specifically regarding combined sewer overflows (“CSO”) and/or the Newtown Creek Long Term Control Plan;
- All records (including correspondence) dated November 8, 2016 to the present between the EPA and the potentially responsible parties (exclusive of New York City) (and their contractors and agents) regarding combined sewer overflows (“CSO”) and/or the Newtown Creek Long Term Control Plan;
- All correspondence dated November 8, 2016 to the present between the EPA and the potentially responsible parties (exclusive of New York City) (and their contractors and agents) regarding the Newtown Creek Superfund site; and
- All correspondence or other records dated November 8, 2016 to the present regarding timelines for Newtown Creek remediation.

Please provide responsive documents in an electronic format (such as email files or PDFs) to me at sdixon@riverkeeper.org. If paper copies are required (though we ask that all records be sent electronically) responsive documents may be delivered to the following address:

Sean Dixon
Riverkeeper
20 Secor Road
Ossining, NY 10562

As Riverkeeper is a non-profit organization working in the public interest to further open and transparent discourse over issues affecting some the most vulnerable social and environmental regions in the nation, and is seeking this information for the benefit of the public, I ask that you waive any fees associated with this request, or in the alternative, that you inform me if the cost will exceed \$25.00 before collecting or sending any documents.

This information, vital to the general public interest as well as several ongoing public processes, should not be subject to any FOIA exemptions. The material requested specifically concerns

operations of the government, would clearly, significantly, and immediately contribute to the public's understanding of government processes and many outstanding applications, and will not be used for any commercial purposes. Riverkeeper hereby ask that access to these documents be granted within twenty (20) business days of this request.

Riverkeeper also asks that if the EPA determines that any of the information requested herein is exempt from FOIA, that said information be identified by document, along with the statutory basis for your claim and your reasons for not exercising your discretion to release this information. If your office determines some of the portions of the requested materials are exempt, I request, in accordance with FOIA, that we be provided with the remaining non-exempt portions.

Please direct any correspondence in regards to this FOIA request and request for waiver of fees to Sean Dixon at 914-478-4501 x247.

Thank you for your understanding and cooperation.

Sincerely,

Sean Dixon, Staff Attorney
Riverkeeper, Inc.
20 Secor Road
Ossining, NY 10562
(914) 478-4501 x247